

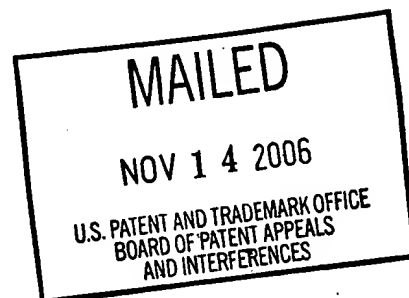
The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BERNHARD MUSSIG

Application 09/156,886
Technology Center 1700



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on November 8, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

INFORMATION DISCLOSURE STATEMENT

The USPTO received an Information Disclosure Statement (IDS) submitted by Appellant on February 28, 2000. It is not clear from the record whether the

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Examiner considered the IDS or whether the Examiner notified Appellant why his submission did not meet the criteria set forth in 37 C.F.R. §§ 1.97 and 1.98.

Clarification is required.

APPEAL BRIEF

Appellant filed an Appeal Brief under 37 C.F.R. § 41.37 which was received by the USPTO on March 20, 2006. The following section lacks required content:

Status of Claims

The content provided under the heading “**STATUS OF CLAIMS**,” is not commensurate in scope with 37 C.F.R. § 41.37(c)(1)(iii) because the content does not clearly identify the claims that are on appeal. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to acknowledge the IDS received by the Office on February 28, 2000;
- 2) to notify Appellant of said written consideration of the IDS, have communication scanned into the Official Image File Wrapper (IFW) record;
- 3) to instruct Appellants to provide a Supplemental Appeal Brief which fully complies with 37 C.F.R. § 41.37(c)(1)(iii);
- 4) to have said Supplemental Appeal Brief made apart of the IFW Official record;

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and

5) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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DMS:hh

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